

### **REMARKS/ARGUMENTS**

Prior to the is amendment, claims 1-25 were pending. In this amendment, claims 4-5, 9, 12, 16-17, and 19-25 are amended. Claim 14 is canceled, and claims 26-28 are added. Thus, after entry of this amendment, claims 1-13 and 15-28 will be pending.

#### **Claim Objections**

Claims 1-25 are objected to because of the following informalities: the use of a hyphen in "growth program" and in "hard disk drive" is not consistence throughout the claims.

The term "growth-program" only appears with hyphen when it is used as an adjective, which is appropriate. The Term "growth program" without a hyphen is used when growth (an adjective) describes the noun "growth," thus a hyphen is not appropriate. This is similar for the usage of "hard disk drive."

Claim 14 is objected to being duplicative of claim 13. Claim 14 is canceled.

Accordingly, Applicants respectfully request withdrawal of these objections.

#### **Rejection under 35 U.S.C. § 101**

Claims 21-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 21-25 have been amended to be directed to a computer readable medium. Accordingly, Applicants respectfully request withdrawal of this rejection.

#### **Rejection under 35 U.S.C. § 112, indefiniteness**

Claims 12-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 12 and 16 were rejected for the phrase "various kinds of" being indefinite. The phrase "various kinds of" has been deleted.

Claim 12 was rejected for the term "allowing" not distinctly defining the step being claimed. The term "allowing" has been replaced by the term "controlling."

Claim 19 is rejected as the preamble recites "a hard disk drive manufacturing method," but the steps listed in the claims are not directed to manufacturing or making of a hard drive, but rather to writing servo information onto a disk. As writing servo information is a step in providing a workable hard disk drive, writing servo information is indeed a step of manufacturing a hard disk drive.

Claim 20 was rejected for not having antecedent for "A hard-disk-drive manufacturing method" in the preamble and for the steps having nothing to do with making or manufacturing a hard disk drive. Claim 20 has been amended to depend on claim 19 to correct this typographical error and for the same reasons as presented for claim 19, claim 20 does recite steps for manufacturing a disk drive.

Claim 22 was rejected for not having antecedent for "A program" in the preamble. Claim 22 has been amended to depend on claim 21 to correct this typographical error.

Claim 23 was rejected for not having antecedent for "the read growth program" in line 7 of the claim. The examiner suggested that the limitation be amended to recite, "the growth program read out". The claim has been amended accordingly.

Claim 24 was rejected for not having antecedent for "the another hard-disk-drive" in lines 2 and 3. Claim 24 has been amended to depend from claim 23 to correct this typographical error.

Accordingly, Applicants respectfully request withdrawal of these rejections.

**Rejection under 35 U.S.C. § 102(b), Oh**

Claims 1-8, 12-18, and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Oh et al. (U.S. Pat. 6,189,051), hereafter, "Oh".

**Claims 1-4**

Claim 1 is allowable as Oh does not teach or suggest each and every element of claim 1. For example, claim 1 recites:

*recognizing means used for recognizing that an optimization/inspection process to be performed on the hard disk device has not yet been completed;  
growth-program receiving means, based on the recognition of the recognizing means, for receiving from a parent hard disk drive connected to the*

*hard disk drive a growth program necessary for performing the optimization/inspection process on the hard disk drive itself; and execution means, based on the growth program received by the growth-program receiving means, for executing the optimization/inspection process on the hard disk drive itself.*

Oh is directed to a system including server computer 500 and a client computer 550 for installing programs (such as an operating system and drivers) on a hard disk 110 in the client computer 550. *See Oh*, abstract and FIGs. 1 and 5 and col. 1 lines 28-42. The Office Action asserts that computers 500 and 550 are hard disk drives. *See Office Action*, page 5. Fig. 1 shows a general computer system in which a hard disk is used. The computer system includes a CPU 100 that communicates, via a bus 106, with a ROM 102, a RAM 104, a hard disk controller 108, and a hard disk 110. *See Oh*, Fig. 1 and col. 3 lines 56-64. Thus, because Oh differentiates between computers 500 and 550 and the hard drive 110 that is within the computer systems, computers 500 and 550 are not hard drives.

Additionally, interpreting a general computer system to be hard drive is counter to the ordinary and customary meaning given to the term by those of ordinary skill in the art. *See* MPEP § 2111.01(III). Computers are not sold, labeled, or referred to as disk drives. Thus, one of ordinary skill in the art would not understand the computer systems of Oh to be hard drives.

Given this distinction, the elements of computer systems 500 and 550 that are separate from a hard drive do not teach or suggest the above elements. For example, the Office Action asserts that the downloading portion 560 is the recognizing means and the growth-program receiving means and that the hard disk master generating portion 570 is the execution means. Elements 560 and 570 are shown to be separate from a hard disk drive. Accordingly, Oh does not teach or suggest a hard drive with recognizing means, growth-program receiving means, and execution means. For at least these reasons, claim 1 is allowable over Oh. As claim 1 is allowable, dependent claims 2-4 and 26 are also allowable for at least the same rationale.

#### Claims 5-8

Applicants submit that claim 5 is allowable for the same rationale as claim 1. As claim 1 is allowable, dependent claims 6-8 are also allowable for at least the same rationale.

Claim 12-18

Claim 12 is allowable as Oh does not teach or suggest each and every element of claim 12. For example, claim 12 recites:

*completing an optimization processing of the first hard drive with information used for optimization;*  
*supplying information used for optimization, which is included in the first hard disk drive, from the first hard disk drive to the second hard disk drive; and*  
*controlling, according to the supplied information used for optimization, the second hard disk drive to execute processes so as to mature into an optimized hard disk drive.*

In Oh, the database 510 stores and manages the programs and drivers to be loaded into the hard disk. *See Oh*, col. 4 lines 37-38. On the hard drive on client computer 550, the setup file is executed, programs are installed in a predetermined order according to the information stored in the setup file, and the environment is set with reference to the script file (xxx.scp). *Id.*, col. 5 lines 34-38. This process is not performed for the hard disk drives of the database 510. Accordingly, Oh does not teach or suggest "completing an optimization processing of the first hard drive with information used for optimization," and "controlling, according to the supplied information used for optimization, the second hard disk drive to execute processes so as to mature into an optimized hard disk drive," as recited in claim 12.

For at least these reasons, claim 12 is allowable over Oh. As claim 12 is allowable, dependent claims 13-18 are also allowable for at least the same rationale.

Claims 21-22

As described above for claim 1, Oh does not teach or suggest a processor in a hard disk drive that recognizes that an optimization/inspection process to be performed on the hard disk drive has not yet been completed and requests another hard disk drive to supply a growth program that is required to perform the optimization/inspection process by the hard disk drive. For at least these reasons, claim 21 is allowable over Oh. As claim 21 is allowable, dependent claim 22 is also allowable for at least the same rationale.

Claims 23-24

Applicants submit that claim 23 is allowable for at least the same rationale as claim 12 since the hard drives of the database 510 have not had the setup process performed on them as is performed for the hard disk of client computer 550. As claim 23 is allowable, dependent claim 24 is also allowable for at least the same rationale.

Rejection under 35 U.S.C. § 103(a), Oh in view of Yatsu

Claims 9-11, 19, 20, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oh in view of Yatsu (U.S. Pat. 6,738,215).

Claims 9-11

Claim 9 is allowable over Oh and Yatsu, either alone or in combination, as those references fail to teach or suggest all the elements of claim 9. For example, claim 9 recites:

*connection means adapted to be connected to an unfinished hard disk drive where servo information is not written to a disk;*  
*storing means for storing a program by which the unfinished hard disk drive writes servo information to at least one disk of the unfinished hard disk drive and by which the hard disk drive writes servo information to at least one disk of the hard disk drive; and*  
*supplying means for supplying the unfinished hard disk drive with the program stored in the storing means.*

The Office Actions asserts that a network is the connection means, database 510 is the storing means, and supplying means allow supplying information from portions 520-540. See *Office Action*, page 7. The network and portions 520-540 are not part of a disk drive, e.g. a disk drive that is part of database 510. Thus as similarly described above for claim 1, Oh does not teach or suggest a hard drive with connection means and supplying means. Also, the disks of database 510 cannot store a program for writing servo information to those disks. Thus, database 510 does not teach or suggest a storing means for storing program "by which the hard disk drive writes servo information to at least one disk of the hard disk drive," as recited in claim 9.

Yatsu is cited as teaching an unfinished hard drive and a disk drive performing a self-servo write. See *Office Action*, page 8. Even assuming that Yatsu teaches this limitation and that there is a motivation to combine, this teaching does not make up for the deficiencies in Oh with respect to these claims.

For at least these reasons, claim 9 is allowable over Oh and Yatsu. As claim 9 is allowable, dependent claims 10-11 are also allowable for at least the same rationale.

Claims 19-20

Claim 19 is allowable over Oh and Yatsu, either alone or in combination, as those references fail to teach or suggest all the elements of claim 19. For example, claim 19 recites "*making a direct connection between the first hard disk drive and the second hard disk drive.*" In Oh, the connection between the two computer systems is over a network. *See Oh*, FIG. 5. Also, there are multiple objects between the database and a disk drive of the client computer system. *Id.* Yatsu does not describe any connection between two disk drives. Accordingly, Oh and Yatsu, either alone or in combination, do not teach or suggest a direct connection between two hard disk drives, as recited in claim 19. For at least these reasons, claim 19 is allowable over Oh and Yatsu. As claim 19 is allowable, dependent claim 20 are also allowable for at least the same rationale.

Claim 25

Claim 25 is allowable over Oh and Yatsu, either alone or in combination, as those references fail to teach or suggest all the elements of claim 25. For example, claim 25 recites "*exporting information to a third hard disk drive for the third disk drive to execute an inspection process.*" Oh does not mention a third computer system, or hard drive, and particularly not one that is created from the hard disk of the client computer system 550. Yatsu not does not mention even a second hard drive. Accordingly, Oh and Yatsu, either alone or in combination, do not teach or suggest the above limitation. For at least these reasons, claim 25 is allowable over Oh and Yatsu.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

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